

By Authority.

## AN ACT

TO REGULATE THE SALE OF SPIRITUOUS LIQUORS.

Be it enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.

SECTION 1. The several laws and parts of laws mentioned in the Schedule hereto to the extent to which they are therein expressed to be repealed are hereby repealed except as to any proceeding under the said laws or any of them; and all offences committed and liabilities incurred before this Act shall come into operation shall be prosecuted and all licenses issued under the authority of the said laws shall continue in force as if this Act had not passed, but no more. Provided that persons holding licenses under Sections 18, 19, 20, 21 and 22 of chapter 41 of the Penal Code may surrender such licenses in exchange for licenses under this Act upon paying a proportionate part of the license fee prescribed by this Act.

SEC. 2. The following words unless where the contrary appears from the context, are used in this Act with meaning hereby assigned to them respectively:

"Spirituos Liquors" shall mean any wines, spirits, ale, cider, perry, beer or other fermented or distilled liquors and all liquor of an intoxicating nature. "Sunday" shall mean the time between 11 o'clock on the evening of Saturday and 5 o'clock on the morning of the succeeding Monday.

"The King in Council" shall mean His Majesty, by and with the advice and consent of the Privy Council.

But nothing in this Act shall apply to any person selling any spirituoso or distilled perfume bona fide as perfume; nor to any duly qualified and licensed physician or surgeon, chemist or druggist who may administer or sell any spirituoso liquors for medicinal purposes.

SEC. 3. The licenses issued under this Act shall be signed by the Minister of the Interior and sealed with the seal of his department, and shall be valid and enforceable as hereinafter provided, and shall be in force for one year from the date of issue.

SEC. 4. Whoever shall manufacture for sale any intoxicating drink or substance in this Kingdom shall be liable to a fine not exceeding Five Hundred Dollars, and in default of payment of such fine shall be imprisoned at hard labor for a term not exceeding two years.

SEC. 5. Whoever shall distill any Spirituous Liquor in this Kingdom (except under a license issued pursuant to an Act approved on the 13th day of July, A. D. 1874, entitled "An Act authorizing the Minister of the Interior to grant to owners of Mills for the manufacture of Sugar Licenses to distill Spirituous Liquor") shall be liable to a fine of not less than fifty dollars, nor more than one thousand dollars; and in default of payment of such fine shall be imprisoned at hard labor for any term not exceeding two years.

SEC. 6. All Spirituous Liquors imported under the name of perfume or preserved fruits with the intention of evading the laws relating to duties shall be liable to seizure, condemnation and sale for the benefit of the Public Treasury.

SEC. 7. All stills, distilling apparatus or other articles in use, except as provided in section 5 of this Act or having been used in distilling spirituous liquor or other intoxicating drinks or substances within this Kingdom, and also all spirituous liquors and other intoxicating drinks or substances manufactured for sale within this Kingdom shall be forfeited to the Hawaiian Government, and may be seized and taken possession of by the Marshal, Deputy Marshal, Sheriffs or their Deputies, or by any constable; and all articles so seized by any other officer than the Marshal, Deputy Marshal or Sheriffs, shall without delay be delivered into the care of the Marshal, Deputy Marshal or Sheriff nearest the place of seizure, and a notice of such seizure shall be published in some newspaper, and unless the owner or some person authorized to claim possession thereof shall, within twenty days from the day of such notice of seizure, file with the officer having the same in possession a written claim to such property so seized, it shall be held to be condemned as forfeited to the Hawaiian Government; and in all cases where the owner or some person claiming the right of possession shall file a written claim as herein provided it shall be the duty of the Marshal, Deputy Marshal or Sheriff, having the property in possession, to furnish to the Attorney General a written statement of the facts which he is hereby authorized and required to take legal measures to have the question determined whether the property seized has been forfeited in accordance to the provisions of this Section.

SEC. 8. The Minister of the Interior shall have power to grant a wholesale vending license for Spirituous Liquors to any person having a license to sell goods, wares and merchandise at wholesale applying therefor in writing, and stating in his application the name of the vendor and where the applicant intends to establish his place of business.

SEC. 9. The wholesale vending of Spirituous Liquors shall consist of selling the same in quantities not less than one package originally imported and in no other manner. Provided that no part thereof shall be drunk or used on the premises where they are sold or in any other house or premises contiguous thereto, procured or rented for that purpose by the party holding such license, or any other person or persons whatsoever through his agency under the penalty of forfeiting his license and incurring the penalties of the law and his bond.

SEC. 10. Before granting a wholesale license to vend Spirituous Liquors the applicant shall pay for the use of the Hawaiian Government Two Hundred and Fifty Dollars, and give a bond to the Minister of the Interior in the penalty of One Thousand Dollars with at least one sufficient surety to be approved by said Minister.

SEC. 11. The Minister of the Interior shall have power in like manner to grant licenses to be called "Dealers' Licenses" to any person for the vending of wine, ale and other spirituous liquors, upon such person applying therefor in writing and stating in his application the name of the vendor and where the applicant intends to establish his place of business.

SEC. 12. Any person having obtained a license in accordance with the preceding section may sell ardent spirits in quantities not less than one gallon, wines, ales and other liquors containing alcohol in quantities not less than one dozen bottles. Provided that the same shall not be drunk or used on the premises where they are sold or in any other house or premises contiguous thereto, procured or rented for that purpose by the party holding such license or any other person or persons whatsoever through his agency under the penalty of forfeiting his license and incurring the penalties of the law and his bond.

SEC. 13. Before granting such license to any person to vend wine, ale and other spirituous liquors as prescribed in Sections 11 and 12 of this Act, the applicant shall pay to the Minister of the Interior for the use of the Royal Exchequer the sum of Five Hundred Dollars, and give a bond to the Minister of the Interior in the penalty of One Thousand Dollars, with at least one surety to be approved by the said Minister.

SEC. 14. The Minister of the Interior shall have the power to grant licenses to retail spirituous liquors, upon application in writing, stating the name of the vendor and where the applicant intends to establish his place of business in each district.

SEC. 15. Before the granting of a retail license to vend spirituous liquors as contemplated in the preceding Section, the applicant shall pay to the Minister of the Interior, for the use of the Hawaiian Government, the sum of one thousand dollars, and shall give a bond in the sum of one thousand dollars, with one sufficient surety to be approved by said Minister.

SEC. 16. Such license mentioned in section 15 shall authorize the licensee to sell and dispose of any spirituous liquors by the bottle or glass on the premises therein specified between the hours of five o'clock in the morning and eleven o'clock at night on every day except Sunday.

SEC. 17. The Minister of the Interior, by and with the consent of His Majesty the King in Privy Council, shall have the power, and it shall be his duty, to issue licenses to persons within which shall be authorized or granted for any business contemplated by this Act shall carry on and transact such business, and shall cause public notice to be given of the same, and he shall designate in the license the house or store or place in which such licensed person shall be authorized to pursue his business, and the license so granted shall not be transferable except as hereinafter provided, or held or authorized such business to be carried on by any person or persons or at any other place than such as may be designated in the license. Provided that until His Majesty in Council shall recommend an alteration in the limits within which spirituous liquors may now be sold, such limits shall apply to licenses issued under this Act. And provided that His Majesty in Council may authorize the Minister of the Interior to grant and issue licenses for the vending of Spirituous Liquors at retail outside of the limits of the city of Honolulu, such as may be designated and conditions as such Council may think proper, provided that the license fee shall be the same as provided by Section 15 of this Act.

SEC. 18. The sale and vending of spirituous liquors shall be regulated more definitely by the terms of the license, and the Minister of the Interior may prescribe in the license definite rules and regulations, to be observed by the vendors; provided that if any license shall be authorized or granted for any premises outside of the limits of the city of Honolulu, such license shall not author-

ize or allow the sale of spirituous liquors to be consumed off the premises for which such license shall be granted.

SEC. 19. All persons applying for a license under the provisions of this Act shall be required to receive the same file a bond (in form similar to the following) the same being always subject to the approval of the Minister of the Interior:

"Know all men by these presents, that we, the principal, and surety, are held and firmly bound unto the Minister of the Interior, for the use of the Hawaiian Government, in the penal sum of .....dollars lawful money, to be levied on our respective joint and several property in case the conditions hereinafter set forth shall be violated.

"For the just and full payment of which we hereby jointly and severally bind ourselves, our heirs, our executors, administrators and assigns.

"Sealed with our seals and dated this .....day of.....18.....

"The condition of this obligation is as follows: That whereas the above bounden .....has this day applied for a license to vend spirituous liquors in accordance with the law approved on the .....day of.....18....., entitled "An Act to regulate the sale of Spirituous Liquors," and has complied with all the requisitions of law, and has consequently been granted a license to vend spirituous liquors in accordance with such law for the term of one year from date. Now therefore, if during the continuance of this license the said .....shall not be convicted of felony, perjury or other infamous offence, or of any offence against or violation of the revenue laws, or of any other offence under the said statute involving a forfeiture of the said license, a copy of which is hereto annexed, then this obligation shall be void. Otherwise upon proof being made to the satisfaction of a District or Police Magistrate, without the intervention of a jury, the penalty mentioned in the bond shall be forfeited, and the license of the said .....under our hands and seals the day and year above written.

"In the presence of.....

SEC. 20. Upon the violation of any of the conditions of his bond by any licensed dealer in spirituous liquors, it shall be the duty of the Minister of the Interior to pass said bond to His Majesty's Attorney General of the Kingdom for enforcement against the parties thereto, both principal and surety, with such information as has come to his knowledge in regard to any violation.

SEC. 21. The Minister of the Interior shall keep in a book of licenses, the names of all licensed vendors of spirituous liquors throughout the Kingdom, their respective places of abode, the character of the licenses granted to them, and the amount of license money paid by each, together with the date of such license.

SEC. 22. It shall not be lawful to issue a license for the retailing of Spirituous Liquors for any house or premises where any other business except that of a victualling house keeper under a license to such retailer is carried on, or that has any communication with any other house or premises where any business (except as aforesaid) is carried on.

SEC. 23. If any person shall (except as the agent or servant of a licensed person) sell or dispose of within this Kingdom any spirituous liquors, or shall permit or suffer any spirituous liquor to be sold or disposed of by any other person within this Kingdom, without having first obtained in manner and form hereinafter mentioned, a license authorizing such sale or disposal at the time and place and in quantity and manner in which such licensee is by such license authorized to sell and dispose of such liquor; every such person shall forfeit and pay for a first offence any sum not less than one hundred dollars nor more than five hundred dollars, and for every subsequent offence shall be imprisoned at hard labor for a term not less than three months nor more than six months, and shall also be subject to a penalty of five hundred dollars. Provided that every offence shall be deemed a first offence within the meaning of this Section, unless it shall have been committed subsequent to previous conviction and within twelve months hereafter.

SEC. 24. If any holder of a license shall suffer any person to play any unlawful game or sport within the said license premises or appurtenances, or shall permit or suffer any person to play any such game or sport in his house or premises on a Sunday, or permit prostitutes or drunken or disorderly persons to be on his premises, he shall forfeit and pay for every such offence any sum not exceeding one hundred dollars.

SEC. 25. Any holder of a license who shall sell or retail any spirituous liquor or permit or suffer the same to be drunk in his house or premises on Sundays, shall be liable to a penalty not exceeding two hundred dollars, and shall be imprisoned at hard labor for a term not exceeding two months, and shall also be subject to a penalty of five hundred dollars for ordinary supplies furnished to bona fide boarders and lodgers in the house or premises.

SEC. 26. If any person holding a license under this Act shall be convicted twice within a period of twelve consecutive months of any offence against the provisions of this Act, the Justice before whom such person has been convicted, shall by an order under his hand and in the form in the second schedule declared such license to be void, and it shall be the duty of the Attorney General to sue for and enforce the penalty of the bond given by such licensee, and such licensee shall be and be deemed incapable of ever again holding a license under this Act.

SEC. 27. No holder of a license shall either in his house or any other place, or shall permit or suffer any spirituous liquor to be drunk in a state of intoxication, under a penalty for each offence of any sum not less than fifty nor more than two hundred and fifty dollars. And if any such intoxicated person remain more than three hours on such premises the holder of such license shall in each case be liable to the same penalty.

SEC. 28. No holder of a retail license shall recover any debt or demand on account of any spirituous liquor supplied by him to any person for such license, or shall be entitled to recover the value of any spirituous liquor supplied with meals to any person bona fide lodging or boarding in the house.

SEC. 29. If any holder of a retail license shall receive in payment or ask a pledge for any spirituous liquor or entertainment supplied in or from such licensed house anything except current money or checks on bankers, or orders for payment of money, he shall for each such offence pay a penalty not exceeding fifty dollars.

SEC. 30. If any holder of a license shall be convicted of felony, perjury or any infamous offence or of any offence against the revenue laws, or if holding a retail license, he shall permit any person to manage, superintend or conduct the business of such during his absence for a longer period than forty-two consecutive days in any one year without the consent of the Minister of the Interior, or shall whether present in such house or not, permit any unlicensed person to be in, effect the keeper thereof or shall allow such house to become ruinous or dilapidated, then upon complaint thereof and proof of any of the facts aforesaid to the satisfaction of any District or Police Justice, such Justice shall by an order under his hand in the form of the second schedule declare such license to be forfeited, and the same shall thereupon cease to be valid, and the holder of such license shall be liable to a penalty of five hundred dollars, and shall be imprisoned at hard labor for a term not less than three months nor more than six months, and shall also be subject to a penalty of five hundred dollars for ordinary supplies furnished to bona fide boarders and lodgers in the house or premises.

SEC. 31. If any licensed person shall sell or offer for sale any adulterated spirituous liquor, he shall forfeit and pay for every such offence any sum not less than one hundred dollars, nor more than five hundred dollars. And if any such person shall sell or offer for sale any such spirituous liquor or is believed by such complainant to be adulterated, and on the deposit by such complainant of the sum of five dollars to defray the expense of such analysis authorize the seizure of such suspected spirituous liquor, and cause the same to be analyzed by some competent person, and the expenses of such analysis shall be a portion of the costs which such Justice shall order to be paid by the person convicted.

SEC. 32. Any District Justice, the Marshal, his Deputy or any Sheriff, Deputy Sheriff or Constable may seize and take, or cause to be seized and taken away, all such spirituous liquor as he or they shall have reasonable cause to suspect to be carried about, for, or exposed to sale in any highway or footpath, in any booth, tent, store or shed, or in any boat or vessel, or in any place whatsoever by any person, not licensed to sell the same, and all the vessels and utensils used for containing, drinking or measuring the same, and any cart, dray or other carriage, and any horse or other animal used in draying or carrying the same, and any boat or other vessel used in the conveyance thereof. And such Justice on his own view or on proof of such offence by oath, may convict any person so offending, and on conviction he shall pay any sum not exceeding two hundred and fifty dollars, and be imprisoned at hard labor for any period not exceeding three months, and such Justice may adjudge such spirituous liquor, vessels and utensils containing the same, and any cart, dray or carriage, horse or other animal, and any boat or vessel used in conveying the same to be forfeited, and may direct the same to be sold, and the proceeds thereof after deducting the expenses of sale, to be appropriated in like manner as fines are by law directed to be appropriated. Provided that if any person shall be convicted of such offence, the burden of proving that such liquor was not so carried or being carried or exposed for sale shall be on the party so carrying the same.

SEC. 33. Any person not the holder of a license keeping up any sign, writing, painting, or other mark in or near his house or premises, or having his house or any part thereof fitted up with a sign, or other place containing bottles or casks displayed so as to induce a reasonable belief that spirituous liquor is sold or served

in such house or premises, or there being on such premises more spirituous liquor than is reasonably required for the use of the persons residing therein, shall be deemed prima facie evidence of the unlawful sale of spirituous liquor by such person.

SEC. 34. Upon information on oath before any Police or District Justice, or before any person, that he believes that spirituous liquor is sold by any person without a license, or contrary to the provisions of this Act, in any house or place, such Justice shall grant his warrant to any Constable to enter and search such house or other place and seize all such spirituous liquor as aforesaid as he shall then and there find, and any vessel or vessels containing such spirituous liquor, and detain the same until the owner thereof shall appear before such Justice to claim such spirituous liquor or vessels, and shall satisfy such Justice how and wherefore such owner became possessed of the same, or if such person after being summoned shall not appear, and if it shall appear to the said Justice after due inquiry that such spirituous liquor was in the said house or place for the purpose of being illegally sold or disposed of, then he shall adjudge such spirituous liquor and vessels to be forfeited and sold, and the proceeds after paying the expenses of such sale shall be appropriated in like manner as penalties under this Act.

SEC. 35. In all proceedings against any persons for selling or allowing to be sold any spirituous liquor without a license, such person shall be deemed to be unlicensed, unless he shall at the hearing of the case produce his license.

SEC. 36. The delivery of any spirituous liquor either by the owner or occupier, or by his or her servant or other person in the house or place, shall be deemed prima facie evidence of the sale of such spirituous liquor, so as to support a conviction, unless proof to the contrary be given to the satisfaction of such Justice.

SEC. 37. Every husband, wife, child, parent, guardian, employer or other person who shall be injured in person or property or means of support by any intoxicated person, or in consequence of the intoxication of any person, or who shall be injured in consequence of such intoxication, shall have a right of action in his or her own name, severally or jointly, against any licensed dealer in spirituous and intoxicating liquors, who shall by selling or giving spirituous or intoxicating liquors, have caused the intoxication in whole or in part of such person or persons, for all damages sustained and for exemplary damages. And a married woman shall have the same right to bring suits and this Act, and to control the same, and the amount recovered as a female sole. And all damages recovered by a minor under this Act shall be paid either to such minor or to his or her parent, guardian or next friend as the court shall direct.

SEC. 38. All suits for damages under the last preceding section may be by any appropriate action in any of the courts of the Kingdom having competent jurisdiction.

SEC. 39. No spirituous liquor shall be sold by auction upon any licensed premises not licensed for the sale of spirituous liquors under this Act. Any auctioneer or other person violating the provisions of this section shall be subject to the penalty hereinafter prescribed for selling spirituous liquors without a license. Provided that nothing herein contained shall apply to the sale by auction of spirituous liquors in bond by sample, if the owner thereof shall be duly licensed for the sale of such spirituous liquors, and provided also that the Minister of the Interior may in his discretion authorize any licensed auctioneer to sell spirituous liquors by auction, when he shall be satisfied that the said liquors are the property of a private person, and are not sold for profit or by way of trade.

SEC. 40. Every person who being intoxicated shall enter any premises licensed for the sale of spirituous liquors, or being intoxicated upon said premises, shall not leave the same when requested by the licensee or by any person in his employ, may be arrested by any constable and shall, on conviction, pay a fine of ten dollars.

SEC. 41. Every person who shall be found drinking on any licensed premises during prohibited hours or on Sundays, shall be liable to the same penalty as the licensee is subject to for keeping open his license house at times not allowed by his license, and such persons may be arrested by any constable or peace officer.

SEC. 42. Any person who shall import into this Kingdom any spirituous liquors unless holding a license under this Act, or unless the same is for his own private use, shall on conviction before any police or district justice be subject to a fine of five hundred dollars, and in default of payment may be imprisoned at hard labor for any term not exceeding two years.

SEC. 43. This Act shall take effect and become a law on the first day of October next, and shall remain in force and continue in force up to and until the first day of January, which will be in the year one thousand eight hundred and eighty-five.

## THE FIRST SCHEDULE.

Chapter 41 of the Penal Code.  
The Act approved on the 29th day of July, A. D. 1872, entitled "An Act to make all persons retailing spirituous and intoxicating liquors liable in damages for injuries done or received by those becoming intoxicated on such liquors and as the result of such intoxication."

An Act approved on the 25th day of September, A. D. 1876, entitled "An Act to amend Section 17 of Chapter 41 of the Penal Code."

## THE SECOND SCHEDULE.

Be it remembered that on the .....day of....., A. D. ...., complaint was made before....., A. B. being the holder of a .....license, for that (here set out the acts which have caused the forfeiture), or proof was made to me that A. B. being the holder of a .....license was twice within a period of twelve consecutive months convicted under the provisions of an Act entitled "An Act to regulate the sale of spirituous liquors," (that is to say) on the .....day of....., A. D. ...., under the .....section of the said Act, and on the .....day of....., under the .....section of the said Act. Now, I do therefore adjudge that the said license of the said .....shall be forfeited. Given under my hand this .....day of....., A. D. ....

Approved this 7th day of August, A. D. 1892.

KALAKAUA REX.

## AN ACT

TO AUTHORIZE A NATIONAL LOAN AND TO DEFINE TO WHAT USES SUCH LOAN SHALL BE DEVOTED.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. The Minister of Finance, under the direction of the King in Cabinet Council, is hereby authorized to borrow on the credit of the Hawaiian Government, from time to time, during the period of three years after the passage of this Act, such sums not exceeding in the whole the sum of Two Million Dollars, for the purposes in this Act hereinafter declared, and such sums shall be exempt from any Government tax whatsoever, and to be redeemable in not less than five nor more than twenty-five years, the principal and interest being payable in United States gold coin or its equivalent.

SECTION 2. The loan so authorized shall be used and expended for the following purposes, that is to say:

Immigration for re-population	\$ 500,000
Government Buildings, including Hospitals	200,000
Filling in and reclaiming Water Lots in Honolulu	50,000
Landings and Boats	50,000
Making and building new Roads and Bridges	300,000
Construction of Honolulu	100,000
Marine Railway, Honolulu	40,000
Deepening Honolulu Harbor and Entrance	150,000
Telegraphic and Telegraphic communication	100,000
Encouragement of Railways	150,000
Encouragement of Agriculture	300,000
	\$2,000,000

SECTION 3. All sums borrowed or authorized to be applied under this Act shall be paid to the Minister of Finance, and shall by him be placed to a separate credit to be called "The Loan Fund," and no part of the money shall, on any pretense, be paid, used or applied, directly or indirectly, either temporarily or otherwise, to or for any public use or purpose other than the purposes respectively to which the same is hereby directed to be applied.

SECTION 4. The Minister of Finance is hereby authorized, from time to time, to pay out of any moneys in the Treasury not otherwise appropriated, the expense of preparing the bonds to be issued under the authority of this Act, and the interest from time to time accruing on said bonds.

SECTION 5. The several items in the Appropriation Bill of this session of the Legislative Assembly, amounting in the whole to One Million and Twenty-five Thousand Dollars, and appropriated for the following purposes, that is to say:

Roads, Bridges, and Small Roads	\$ 30,000
Custom House and Store, Kalaiki	15,000
Custom House and Store, Mahukona	15,000
Custom House and Store, Hilo	15,000
Police Office, Public Works, Water Works, Tax Assessors, etc., buildings	35,000
Fireproof Building for Supreme Court and other Records	15,000
Building and Street-Carriage and Locks	30,000
Marine Railway, Honolulu	50,000
The several items of Land up to the amount of	50,000
Encouragement of Immigration	500,000
	\$1,025,000

Shall be charged upon and paid out of any moneys which may be borrowed under the authority of this Act, and any moneys which shall be paid by the Minister of Finance for any of the said purposes before the receipt of any moneys under this Act, shall be repaid to the Minister of Finance when such moneys shall be borrowed.

SECTION 6. This Act shall come into operation and take effect from and after the date of its publication.

Approved this 5th day of August, A. D. 1892.

KALAKAUA REX.

## AN ACT

TO PROVIDE FOR THE SUPPRESSION OF DISEASE AMONG ANIMALS IN THE HAWAIIAN KINGDOM.

Whereas, with the importing of live stock from foreign countries several diseases hitherto unknown in the Hawaiian Islands have been introduced in this country which have spread abroad, whereby much valuable stock has been destroyed and large loss entailed on the owners thereof, and no specific regulations exist, or laws provide for protection therefrom; therefore

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. The Minister of the Interior is hereby authorized and directed to establish at all the ports of entry in this Kingdom quarantine stations for animals.

SECTION 2. The Minister of the Interior is hereby authorized and directed to appoint competent persons, three for the port of Honolulu and one for each of the other ports of entry of the Kingdom, who shall be designated "Inspectors of Animals," and from time to time when such offices for any reason shall become vacant, to re-appoint competent persons to fill the same. One of the three appointed for Honolulu shall be designated as the Executive Inspector. Such officers, for the purposes of this Act, shall possess all the powers, rights, privileges, and immunities of customs officers or officers acting under the Board of Health, and it shall be their duty to cause the various quarantine stations to be kept clean and properly fitted for use.

SECTION 3. The master of any vessel on which there shall have been shipped live animals for port in this Kingdom shall, immediately upon arrival, notify the customs officers taking charge of the vessel of such fact, and said officer shall at once cause the inspecting officer to be notified, and shall not permit the landing of such animals nor of any portion of the food or water, nor of any effects connected therewith, until the said inspecting officer shall have arrived, inspected and passed the same.

SECTION 4. All live animals, except such as canary birds and other small animals as shall be specially exempted by the inspecting officer shall be subject on arrival in this Kingdom from any foreign port or country to be quarantined at the expense of the owner or consignee thereof, in such places as shall be appointed by the Minister of the Interior, for a period not less than fourteen days, and for such longer period as shall be deemed necessary by the inspecting officer on account of the presence of some contagious disease or distemper, or because the port or country whence such animals are brought is affected with such disease or distemper, or for any other good and sufficient reason having reference to the public good. Whenever after careful examination and attention, the inspecting officer shall find that such animal or animals are infected with any disease or distemper of a nature dangerous to the live stock of the country, he shall report the same to the Minister of the Interior, and if the Minister shall decide that the public interests require, he shall require such animal or animals to be utterly destroyed; said Minister of the Interior may also cause all the food and other effects connected with such animals, independently of the animals themselves, to be destroyed.

SECTION 5. Live animals passing between the different islands of the Kingdom may be quarantined at any port in Section 3, either at the port of shipment or delivery, on good cause shown to the inspecting officer of the port of entry nearest to the port of shipment or delivery.

SECTION 6. The Minister of the Interior, notwithstanding anything in this Act, may from time to time by proclamation declaring any port or country to be infected, absolutely prohibit the introduction of any animals therefrom until the restriction be removed.

SECTION 7. All imported animals, fodies, fittings or effects landed contrary to the provisions of this Act, or taken or removed from quarantine until duly discharged, shall be forfeited to the use of the Hawaiian Government; and all animals brought into such quarantine grounds, or places, with any animals under quarantine, shall be deemed to come under the provisions hereof, and shall be subject to all of the conditions of the same.

SECTION 8. Any and all persons knowingly and willfully violating any of the provisions of this Act, or assisting in so doing, or who shall purchase, take and carry away any animal or animals, fodies, fittings or effects connected therewith, before the same shall have been discharged by the inspecting officer, or shall knowingly and willfully have in possession any of the same, or shall impede or refuse to allow said inspecting officer to perform his duty, then such person or persons shall be liable to imprisonment at hard labor for any period not less than six months, or to a fine not five hundred dollars, or both, and all such offences may be tried before any police or district magistrate.

SECTION 9. There shall be collected from the owner or consignee of animals inspected or quarantined under this Act. The said inspecting officers shall receive one dollar per head for all horses and cattle inspected, fifty cents for every sheep, and ten cents for every other animal inspected, which shall be paid by the owner or consignee of such animal of the inspecting officer in making original inspection or when from the nature of the case such inspection shall be specially onerous or severe any further sum not to exceed five dollars per diem in addition, according to the judgment of the Minister of the Interior, besides the expenses of quarantine as aforesaid. One half of all fines and penalties collected hereunder shall be paid to the informer or prosecutor. The Minister of the Interior shall make such compensation to the inspecting officers as he shall deem just and proper. He shall also make such disbursements as shall be necessary for the proper maintenance of the quarantine stations and for such other incidental expenses as may arise from and out of the execution of this Act, including payment for animals and property destroyed as herein provided. After the payment of the one-half of fines and penalties to informers, the remainder of the same together with all other monies received under this Act shall be paid into the Hawaiian Treasury, to be used for the uses and purposes of this Act.

SECTION 10. The Minister of the Interior shall from time to time make and publish such rules and regulations as shall be necessary for the more efficient carrying into effect the provisions of this Act.

Approved this 5th day of August, A. D. 1892.

KALAKAUA REX.

AN ACT  
TO RESTRICT THE ERECTION AND REPAIRING OF BUILDINGS OTHER THAN THOSE BEFIT OF FIRE-PROOF MATERIALS WITHIN CERTAIN LIMITS IN THE CITY OF HONOLULU.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. The word "building" when used in this Act shall mean and comprise any dwelling house, shop, store, warehouse, church, chapel, concert room, hospital, theatre, manufactory, work shop, stable, privy or other building or erection whatsoever, and the words "hereafter to be built" shall apply to all buildings commenced after this Act shall come into operation, or which if commenced before this Act shall come into operation, shall not be covered in within one month thereafter.

SECTION 2. Any building hereafter to be built in the city of Honolulu within the limits specified in the schedule hereto (except such sheds as may be erected by the government on the wharf frontage for wharf accommodation), shall have the external walls and roof thereof constructed of brick, stone, concrete, iron or other fire-proof material. Provided that if iron be used, the frame work shall also be constructed of iron.

SECTION 3. Any person who shall violate the provisions of this Act by constructing any building except of such material as mentioned in Section 2, shall be deemed guilty of the offence of common nuisance, and may be proceeded against accordingly.

SECTION 4. This Act shall take effect and become law from and after the date of its publication.

The schedule before referred to:  
"All those parts of the city of Honolulu bounded by the water front, and by a line running from the said water front and eighty feet easterly from the building lying on the Ewa side of Nuuanu street to the makai side of King street, thence running along King street to a point ninety feet distant easterly from the Waikiki side of Fort street, and thence running eighty feet from the Waikiki side of Fort street to the water front.

"And also all those parts of the city of Honolulu comprising the lands now reclaimed or which may hereafter be reclaimed, and the land of Waikahala makai of Queen's street.

Approved this 4th day of August, A. D. 1892.

KALAKAUA REX.

## NOTICE.

I have appointed COL. CURTIS